



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, JUNE 1, 2015
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:00 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

- a. Minutes of the May 18, 2015 Public Hearing regarding a Special Use Permit Request for Joey B's Restaurant at 14445 Manchester Road

Alderman Clement made the motion to approve the Minutes of the May 18, 2015 Public Hearing regarding a Special Use Permit Request for Joey B's Restaurant at 14445 Manchester Road. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

- b. Minutes of the May 18, 2015 Public Hearing regarding a text amendment to the City's Code modifying definitions and general provisions

Alderman Clement made the motion to approve the Minutes of the May 18, 2015 Public Hearing regarding a text amendment to the City's Code modifying definitions and general provisions. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

- c. Minutes of the May 18, 2015 Regular Board of Alderman meeting

Alderman Hamill made the motion to approve the Minutes of the May 18, 2015 Regular Board of Aldermen meeting. The motion was seconded by Alderman Clement and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Ottenad advised that she would like to postpone the second reading of Bill # 15-2221 until there is further discussion.

Alderman Hamill made the motion to approve the Order of Items on the Agenda as amended. The motion was seconded by Alderman Clement and carried unanimously, without objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Presentation to Judge Michael Gunn

Mayor Willson presented a Proclamation to Judge Gunn from the City of Manchester in acknowledgement of his 45th anniversary of dedicated service to the City, and also a Proclamation from St. Louis County Executive Steve Stenger.

b. Announcement of Award to Prosecuting Attorney Mark Levitt

Mayor Willson recognized Prosecuting Attorney Mark Levitt for receiving the prestigious George Pittman Award from the Board of Directors of the Missouri Municipal and Associate Circuit Judge's Association.

c. Liquor License Renewals

Alderman Hamill made the motion to approve the following liquor license renewal applications. The motion was seconded by Alderman Clement and carried unanimously, without objection.

1. Costco Wholesale
2. Debz Corner
3. Dierberg's, with wine tasting permit
4. Discount Liquors
5. El Maguey
6. El Nopal
7. Lazy River Grill
8. Manchester Athletic Association
9. Manchester Shell
10. Manee Thai
11. Petro Mart – Manchester Road
12. Petro Mart # 73 – Meramec Station Road
13. Randall's Wine and Spirits, with wine tasting permit
14. St. Joseph Church
15. Tucker's Place West
16. Walgreens
17. Walmart
18. Walter Le Pere American Legion Post 208,
including licenses for booths at the
Annual Homecoming Festival
19. Westchester Tennis & Sports Center

d. Audit Report

Director of Finance Dave Tuberty introduced Mr. Eric Stopp of Nichols, Stopp and VanHoy, LLC, who gave the audit report for the City of Manchester and also discussed the Comprehensive Annual Financial Report, the "CAFR".

Mr. Stopp brought to the attention of the members of the Board of Aldermen and the public that Manchester received an unmodified audit opinion, which is the best opinion a City could receive. That just means that the financial statements were fairly stated in all material respects.

Mr. Stopp mentioned that the report has grown this year with the addition of an introductory section and a statistical section which are not audited, in addition to the financial section which they do audit. Although there are no audit procedures on the introductory and statistical sections which are prepared by management of the City, they are compared to underlying financial statements.

Mr. Stopp communicated that as far as the major changes this year, cash was up \$1.2 million compared to 2013, so there was a significant increase in the available cash on hand as of December 31, 2014. The Tax Increment Financing was reduced by about \$4 million for the current year. Sales tax revenue for 2014 was up approximately \$520,000 compared to 2013, and has jumped since the year of 2010 when the Highlands Center was developed, and it has increased every year since.

Mr. Stopp reported that the property taxes were up \$125,000 compared to 2013. He said the spike happened in 2010 when the Highlands Center was developed.

Mr. Stopp explained that the expenditures are down \$545,000 in 2014.

Mr. Stopp talked about audit adjustments, reclassification of the Capital Improvements Fund which borrowed from the General Fund to operate. He said the Historic Review Commission Fund closed in 2014 with a negative fund balance, so a transfer was made to get that fund balance to zero. Mr. Stopp also talked about delinquent property taxes from St. Louis County.

Mr. Stopp affirmed that there were no material weaknesses or deficiencies. He did mention some recommendations, such as a formalization of documentation of accounting policy and procedures and also stronger controls over administrative rights to the new accounting software.

Alderman Clement questioned the software administrative rights; he wondered who they would recommend having that control or power.

Mr. Stopp answered generally what they see in larger cities is that the Information Technology (IT) Director would take on those duties. He said he understands Manchester does not have a full time IT person, so that will be a challenge finding a person who could take that on. He said you want someone who is readily available. He stated that at the present time, Director of Finance Dave Tuberty has those administrative rights.

Alderman Clement asked about the amount of the delinquent tax receipts from St. Louis County.

Mr. Stopp stated the number is \$115,000 for 2014. He said it is not just 2013 taxes; it goes all the way back to 2008 and 2009. He said they have no way of knowing until St. Louis County tells them what they have not collected. He said the trend jumps back and forth between years.

Alderman Ottenad inquired if there is anything cities can do with that outstanding balance.

Mr. Stopp pointed out that there is nothing that can be done; it is all based on the collections of the County.

e. Comments from the Public

Ms. Pauline Bair, 305 Morewood Drive, asked about outstanding lawsuits.

City Attorney Gunn answered that there is one lawsuit pending which is a claim by a resident that the City's animal control ordinance is unconstitutional. Attorney Gunn said this is the same citizen who filed a lawsuit some years ago challenging the City's Code as it related to pit bulls. The City at that time amended the Ordinance and now they are challenging it again.

Ms. Bair questioned what is going on with Culver's Restaurant.

Alderman Clement explained that before Director Arnett left, the assurance was it was still moving forward. He believed the demolition was going to start in May.

City Administrator Hixson added that the last the City Staff has heard was that they were getting St. Louis County Permits, but it is still moving forward.

Ms. Bair asked about the water feature.

City Attorney Gunn responded that he will look into it.

6. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor David Willson reported that on May 19th, he attended the Arts Council Appreciation Dinner; on the 22nd, he attended the Public Works luncheon; on the 23rd, he attended the renaming of the street honoring Specialist Matthew Walker; on May 27th, he attended the "Muni Award Dinner" hosted by the St. Louis County Municipal League; on May 25th, he attended the Special Olympics dinner at Tucker's, and on May 29th, he attended the employee picnic.

Alderman Clement emphasized the way the community came together for the event of the street renaming for Specialist Matthew Walker.

Alderman Stevens spoke in regard to the St. Louis County Municipal League award for Manchester Arts under the category of "Citizen Engagement".

7. REPORTS FROM THE CITY ADMINISTRATOR

a. Special Olympics Torch Run

City Administrator Hixson stated he was very proud of the people he ran with. He ran with two Manchester police officers and Alderman Ottenad's son.

b. List of Paid Bills (Warrant dates of May 16 – May 30, 2015)

There were no questions.

c. New Drop Box for Unwanted Medication

Captain Pat Milligan reported that old box was getting used quite regularly and had to be emptied a couple times a week. Sometimes even the clerks had to empty the box over the weekend. The City now uses the Missouri Pill and Drug Disposal Program sponsored by a number of local police departments, plus the Water Company, St Louis College of Pharmacy and Metropolitan Sewer District. Once the City joined this alliance, a new drop box was received. One of the reasons for the change is that Manchester had no way to dispose of drugs since the Drug Enforcement Administration (DEA) lost their funding for this program, so this new Program now will be taking care of that.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement reported that there has been no meeting, but there will be a meeting next week.

b. Homecoming Committee

Alderman Ottenad stated that the next meeting will be on June 10 at 6:30 p.m., and pictures will be taken of the committee members. Also, there will be a potluck dinner.

c. Manchester Arts

Alderman Stevens reported that on June 13 to July 30, the featured art will be the Dan File Photography Show titled "The Moment" and it will be open daily.

Alderman Stevens reminded everyone that June 14 is the date for the Manchester Community Band Concert which will honor American music.

9. ACTION ON OLD BILLS

a. BILL # 15-2221 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES REGARDING NUISANCES

This item was postponed at the request of Alderman Ottenad.

b. BILL # 15-2223 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY AMENDING THE TERM DEFINITION OF "FAMILY"

Alderman Stevens read for the second time Bill # 15-2223, entitled: "AN ORDINANCE AMENDING SECTION 405.060 OF THE CODE OF ORDINANCES OF THE CITY OF

MANCHESTER BY AMENDING THE DEFINITION OF THE TERM “FAMILY” AS USED IN THE CITY’S ZONING REGULATIONS”, by title only.

Alderman Stevens made the motion that Bill # 15-2223 become Ordinance # 15-2108. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Baumann – aye
Alderman Ottenad - aye
Alderman Clement – aye
Alderman Stevens – aye
Alderman Hamill – aye
Alderman Diehl – aye

Mayor Willson announced the Bill passed 6 – 0.

c. BILL # 15-2224 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES RELATING TO SIGHT DISTANCE

Alderman Baumann read for the second time Bill # 15-2224, entitled: “AN ORDINANCE AMENDING SECTION 405.060 AND ADDING A NEW SECTION 405.166 TO THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER REGULATING SIGHT DISTANCE TRIANGLES IN THE CITY OF MANCHESTER”, by title only.

Alderman Baumann made the motion that Bill # 15-2224 become Ordinance # 15-2109. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Ottenad - aye
Alderman Clement – aye
Alderman Stevens – aye
Alderman Hamill – aye
Alderman Diehl – aye
Alderman Baumann – aye

Mayor Willson announced the Bill passed 6 – 0.

10. INTRODUCTION OF NEW BILLS

a. RESOLUTION ACCEPTING BID FOR THE CONCRETE STREET REPLACEMENT PROJECT

Alderman Hamill read Proposed Resolution # 15-0527, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT WITH J. M. MARSCHUETZ CONSTRUCTION COMPANY IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED SEVENTY-FIVE THOUSAND EIGHT HUNDRED FORTY-THREE DOLLARS AND FOUR CENTS (\$575,843.04), WHICH INCLUDES A TWO PERCENT (2%) CHANGE ORDER IN THE AMOUNT OF ELEVEN

THOUSAND TWO HUNDRED NINETY-ONE DOLLARS AND FOUR CENTS (\$11,291.04) TO BE USED FOR UNFORESEEN WORK CONDITIONS, FOR THE CONCRETE STREET SLAB REPLACEMENT PROJECT IN VARIOUS LOCATIONS THROUGHOUT THE CITY OF MANCHESTER”, by title only.

Alderman Ottenad asked if the City was over budget last year.

Director Ruck answered last year’s budget was at a set amount. The bid came in higher, but the City reduced the amount of street slab replacements to stay closer to the budgeted amount.

Alderman Ottenad stated she likes when we stick to the budget number. She asked when the project will be started.

Director Ruck stated the contractor thought they would start by the middle of June. He said the bid said it would take up to 90 days but it doesn’t normally take that long.

Director Ruck added that from the first bid received of more than \$700,000, the City had to eliminate 2200 square yards of concrete for the new bid request to get closer to the budgeted amount. He said he already has a list going for next year, including the eliminated 2200 square yards, for sure.

Alderman Hamill made the motion for approval of Resolution # 15-0527. The motion was seconded by Alderman Clement and carried unanimously, without objection.

11. MISCELLANEOUS

a. Comments from the Public

There were none.

12. ADJOURNMENT

At 7:59 p.m., there being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Clement and carried unanimously, without objection. The meeting adjourned at 7:59 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S
City Clerk

***Note:** This is a journal of the Board of Aldermen meeting held June 1, 2015 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.*